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FACSIMILE COVER SHEET

*OK
do early
m.B.*

TO: Examiner Michael Borin
Group Art Unit 1631
USPTO

FROM: Haiyan Chen
202-721-5492 (direct dial)

RE: Application No. 09/674,973
Attorney Docket No. 01702.401500

FAX NO.: 703-746-5237

DATE: February 11, 2003

NO. OF PAGES: 19
(including cover page)

TIME:

SENT BY:

MESSAGE**Examiner Borin:**

Further to our discussion this morning, enclosed please find:

- 1) a Response to the 1/31/03 Office Action;
- 2) a copy of the Preliminary Amendment filed 11/8/00; and
- 3) a copy of the date-stamped postcard acknowledging receipt of the Preliminary Amendment.

Thank you.

**IF YOU DO NOT RECEIVE ALL THE PAGES
PLEASE CALL 202-530-1010 AS SOON AS POSSIBLE.**

Note: We are transmitting from a Canon Model FAX-L770
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#11
RD
2-20-03

1702.401500

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
GUSTAV GAUDERNACK, ET AL.	:	Examiner: M. Borin
Int'l Appln. No.: PCT/NO99/00143)	
U.S. Appln. No.: 09/674,973	:	Group Art Unit: 1631
Nat'l Entry Date: November 8, 2000)	
For: PEPTIDES	:	
)	February 11, 2003

Commissioner for Patents
Washington, D.C. 20231

Facsimile Response to Office Action

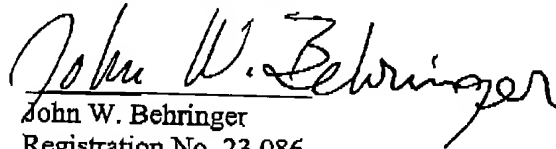
Sir:

In the Office Action mailed January 31, 2003 in the above-identified application, a restriction requirement has been imposed. Today, upon finding that the restriction requirement was based on the claims in the PCT application rather than the claims presented in the Preliminary Amendment filed November 8, 2000, Applicants contacted the Examiner regarding the error. The Examiner informed Applicants that the PTO record does not indicate the filing of a Preliminary Amendment in this application, and suggested that Applicants send copies of the Preliminary Amendment filed November 8, 2000, and the receipt-acknowledgment postcard to the Examiner via facsimile.

Accordingly, Applicants submit herewith a copy of the Preliminary Amendment filed November 8, 2000, together with a copy of the receipt-acknowledgment postcard. Applicants respectfully request that a new Office Action be issued in this application.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



John W. Behringer
Registration No. 23,086
Attorney for Applicants

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New York, New York 10112-3801
Facsimile: (212) 218-2200
JWB/HC

DC_MAIN 123511 v 1

Assistant Commissioner for Patents
Washington, D.C. 20231

Date 11 18 00
Mo. Day Yr.

Atty. Docket 1702.401500

Sir:

Kindly acknowledge receipt of the accompanying:

- ☒ Specifications, claims and abstract 72 pages, with Transmittal Form 5, Filing
and Sequence Listing (79 pages) Under 37 CFR 1.82
☐ Oath or Declaration and Power of Attorney ☐ Executed ☐ Not Executed
☒ 14 Sheets of ✓ formal informal drawings
☐ Check for \$ 271000 (filing fee)
☐ Small entity declaration
☐ Assignment, PTO-1595 and Check for \$
☐ Transmittal Under 37 CFR 1.53(d) (CPA)
☐ Petition under 37 CFR 1.136 and check for \$
☒ Other (specify) 37 CFR 1.82(c), Preliminary Amendment to Search
Docket # 1702.401500, Statement Under
by placing your receiving date stamp hereon and mailing or returning to deliverer. Report
This is a ☐ Continuation ☐ Divisional ☐ Continuation-In-Part not the limit of

Atty. Subin/424

Due Date 11 18 00
Mo. Day Yr.

37 CFR 1.8 ☐

37 CFR 1.10 ☐

By Hand ☒



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